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January 16, 2023

The Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: United States v. Timothy Shea, et al., 20 Cr. 412 (AT)

Your Honor:

I represent Timothy Shea, one of the defendants in this case.

On Friday I received a copy of a sentencing postponement request made by the attorney for one of the co-defendants, Cesar de Castro, on behalf of Brian Kolfage.

I want to note that, assuming the Court wishes to keep the sentencing hearings for the three defendants together on the same day, that I have no objection to the request, and in fact, would welcome additional time to prepare for the sentence as I am recently appointed to represent Mr. Shea in this matter.

The dates requested by co-counsel, however, would not work for me as I am scheduled to start a trial before the Honorable Jed Rakoff on May 1, 2023, and it is extremely unlikely that the trial will not go forward on schedule. The trial is expected to take one month.

I therefore request that the Court set the sentence date for any date in the week prior to that (April 24 through April 28, 2023), or for a date on or after May 29, 2023.

I thank the Court in advance for Your Honor's attention to this request.

Sincerely,

/s/ Thomas H. Nooter

Thomas H. Nooter

Attorney for Defendant Shea

cc: AUSAs Robert B. Sobelman,
AUSA Derek Wikstrom,
and AUSA Mollie Bracewell, by ECF

USPO Christopher F. Paragano, by email